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S/N 10/621,061PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sanberg et al.

Serial No.: 10/621,061

Filed: July 16, 2003

Title: Human Immunosuppressive Protein

Examiner: Nancy S. Vogel

Group Art Unit: 1636

Docket No.: USP-0050RD

Confirmation No.: 8835

Affidavit Under 37 CFR 51.131Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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We, Paul R. Sanberg, Robert W. Engelman, and William R. Gower, hereby declare that;

1. We, Paul R. Sanberg, Robert W. Engelman, and William R. Gower, Jr., are co-inventors of the above-captioned patent application.

2. The invention was reduced to practice on or before September 18, 2001, which is the date on which we first submitted for publication the following paper: W.R. Gower Jr., *et al.* "hNT neurons express an immunosuppressive protein that blocks T-Lymphocyte proliferation and interleukin-2 production." *Journal of Neuroimmunology* 125 (2002): 103-113. Therefore, we propose an invention date that is less than a year prior to the July 16, 2002, filing date of the first provisional application No. 60/396,928.

3. Our invention was not in public use or on sale in this country or another, or patented or described in a printed publication in this or any foreign country, for more than a year prior to our filing of the parent provisional application 60/396,928, on July 16, 2002.

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US Application No. 10/621,061
Rule 1.131 AffidavitPage 2 of 2
Docket No. USF-003US

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

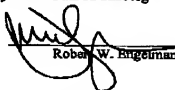
8/22/06

Date


Paul R. Sanberg

8/24/06

Date


Robert W. Engelman

Date

William R. Gower, Jr.

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S/N 10/621,061PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sanberg et al.

Serial No.: 10/621,061

Filed: July 16, 2003

Title: Human Immunosuppressive Protein

Examiner: Nancy S. Vogel

Group Art Unit: 1636

Docket No.: USF-005ORD

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Affidavit Under 37 CFR §1.131

Commissioner for Patents
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US Application No. 10/621,061
Rule 1.131 Affidavit

Page 2 of 2
Docket No. USF-005US

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Respectfully submitted,

Date

Paul R. Sanberg

Date

Robert W. Engelman

8/29/06
Date

William R. Gower
William R. Gower, Jr.